

CHO
"Voice Announced Caller Identification
Features and Methods Therefor"
Atty. Docket No. CS11370

Appl. No. 09/928,321
Confirm No. 7384
Examiner L. LE
Art Unit 2645

REMARKS

Request for Reconsideration, Informal Matters, Claims Pending

The Official action mailed on 17 November 2004 has been considered carefully. Reconsideration of the claimed invention in view of the amendments above and the discussion below is respectfully requested.

The original claims were numbered incorrectly for failure to include a Claim 8. Original Claims 9-20 have thus been renumbered as Claims 8-19. Claims 20 and 21 are new. No new matter has been added.

Claims 8-10 and 12-15 were amended to remove the "telephone" limitation. Original Claims 4 and 7 and renumbered Claim 18 (previously Claim 19) have been canceled.

Claims 1-3, 5-6, 8-17 and 19-21 are pending.

Allowability of Claims Over Maquaire, Contreas & Worsham

Rejection Summary

Claims 1, 17, 18 and 20 stand rejected under 35 USC 102(e) as being anticipated by U.S. Publication No. 2002/0107049 (Maquaire). Official Action, 17 November 2003, para. 2.

Regarding Claims 1 and renumbered Claims 16, 17 and 19, the Examiner admits that Maquaire fails to disclose "... receiving an incoming communication at the ... device during a communication in progress ... and providing an audible announcement during the communication in progress." The Examiner asserts however that it would have been obvious to "... modify

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Maquaire with the audible announcement taught by Contreas ... as suggested by Contreas." Office Action 17 November 2003, para. 4.

Claims 4, 5, 7 and 19 stand rejected under 35 USC 103(a) as being unpatentable over Maquaire in view of US Publication No. 2002/0077089 (Contreas).

Claims 2 and 3 stand rejected under 35 USC 103(a) as being unpatentable over Maquaire in view of US Publication No. 2003/0003297 (Worsham).

Claims 6 and 12 stand rejected under 35 USC 103(a) as being unpatentable over Maquaire in view of Contreas and US Publication No. 2003/0003297 (Worsham).

Claims 9-11 and 13-16 stand rejected under 35 USC 103(a) as being unpatentable over Contreas in view of Maquaire.

Allowability of Amended Claim 1

Claim 1 has been amended to recite limitations of original Claims 3 and 4, which has been canceled. Contrary to the Examiner's assertion, Maquaire and Contreas do not disclose or suggest a

... method in a mobile wireless communication device, comprising:

receiving an incoming communication at the mobile wireless communication device during another communication in progress;

providing an audible announcement at an audio output of the mobile wireless communication device based on audio information stored on the wireless communication device during the communication in progress,

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the audible announcement identifying a source of the communication received at the communication device.

Contrary to the Examiner's assertion there is no suggestion in either Maquaire or Contreas for the putative modification/combination asserted by the Examiner. Contreas discloses a call-waiting scheme wherein a calling party provides a feature code that initiates the sending of a "knock" identifying the calling party to the called party (Contreas, para. 0015). In Contreas, the network passes the "knock" to the called party only if the calling party is entitled to knock (Contreas, para. 0015) and only if the called party has caller-waiting enabled or activated (Contreas, paras. 0016 & 0019).

In Contreas, the "knock" is a tone, sound or recorded voice originating from the calling party (Contreas, paras. 0015, 0019 & 0020). Thus there is no suggestion in Contreas to provide "... an audible announcement at an audio output of the mobile wireless communication device based on audio information stored on the wireless communication device during the communication in progress..." as recited in Claim 1.

Maquaire merely discloses generating an audio output in response to an incoming call. Despite the recognition of call-waiting and related features by Maquaire (paras. 0004-0008), Maquaire does not disclose or suggested playing any audio, based on audio information stored on the called device when the incoming communication is received "... during another communication in progress" as recited in Claim 1. Claim 1 and the claims that depend therefrom are thus patenably distinguished over Maquaire and Contreas.

Allowability of Claim 2

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Regarding Claim 2, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 1,

... providing the audible announcement by audibly announcing a communication address from which the incoming communication originated.

Worsham forwards name and number information from a CNAM database in the cellular network to the called party (Worsham, paras. 0038-0041). Worsham fails to make up for the deficiencies of Maquaire and Contreas. Like Contreas, Worsham does not provide the audible announcement "... based on audio information stored on the wireless communication." Claim 2 is thus further patentably distinguished over the art.

Allowability of Claim 3

Regarding Claim 3, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 1,

... storing audio clips that uniquely identify addresses corresponding to the origin of incoming communications before receiving the incoming communications,

providing different audible announcements by playing the audio clips identifying the addresses corresponding to the origin of the incoming communications when incoming communications from the corresponding addresses are received.

Worsham does not provide the audible announcement based on audio information stored on the wireless communication. Worsham merely forwards name and number information from a CNAM database in the

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cellular network to the called party. (Worsham, paras. 0038-0041). Claim 3 is thus further patentably distinguished over the art.

Allowability of Claim 5

Regarding Claim 5, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 1, "... providing the audible announcement in a background of the communication in progress" at least for the reasons discussed above in connection with the allowability of Claim 1. Claim 5 is thus further patentably distinguished over the art.

Allowability of Claim 6

Regarding Claim 6, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 1,

... providing the audible announcement on the audio output by audibly announcing a telephone number from which the incoming communication originated.

Worsham does not provide the audible announcement based on audio information stored on the wireless communication. Worsham forwards name and number information from a CNAM database in the cellular network to the called party. (Worsham, paras. 0038-0041). Claim 6 is thus further patentably distinguished over the art.

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Allowability of Independent Claim 8

Regarding independent Claim 8, contrary to the Examiner's assertion, Maquaire and Contreas do not disclose or suggest a

... method in a cellular handset, comprising:
receiving an incoming call at the cellular handset during a call in progress at the cellular handset,
a number originating the incoming call stored in the cellular handset;
providing an audible announcement on an audio output of the cellular handset uniquely associated with the incoming call when the incoming call is received,
the audible announcement is based on audio information previously stored on the cellular handset.

Contreas discloses a call-waiting scheme wherein a calling party provides a feature code that initiates the sending of a "knock" identifying the calling party to the called party (Contreas, para. 0015). In Contreas, the network passes the "knock" to the called party only if the calling party is entitled to knock Contreas, para. 0015) and only if the called party has caller-waiting enabled or activated. (Contreas, paras. 0016 & 0019).

In Contreas, the "knock" is a tone, sound or recorded voice originating from the calling party (Contreas, paras. 0015, 0019 & 0020). There is no suggestion in Contreas or Maquaire to provide an audible announcement at an audio output of the cellular handset device wherein "... the audible announcement is based on audio information previously stored on the cellular handset" as recited in Claim 8.

Maquaire merely discloses the generating an audio output in response to an incoming call. Despite the recognition of call-waiting and

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related features by Maquaire (paras. 0004-0008), Maquaire does not disclose or suggested playing any audio, based on audio information stored on the called device "...when the incoming call is received" as recited in Claim 8. Claim 8 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

Allowability of Claim 9

Regarding Claim 9, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 8, "... providing the audible announcement during the call in progress at the cellular handset" for at least the reasons discussed above in connection with the allowability of Claim 8. Claim 9 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

Allowability of Claim 10

Regarding Claim 10, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 8, "... providing the audible announcement by audibly announcing a party from which the incoming call originated" for at least the reasons discussed above in connection with the allowability of Claim 8. Claim 10 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

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Allowability of Claim 11

Regarding Claim 11, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 8, "... providing the audible announcement by audibly announcing a telephone number from which the incoming telephone call originated." Neither Contreas nor Maquaire disclose providing the telephone number of the incoming caller. Contreas discloses that the "knock" is tone, sound or recorded voice. Claim 11 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

Allowability of Claim 12

Regarding Claim 12, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 9, "... storing an audio clip associated with a number corresponding to an origin of the incoming call before receiving the incoming call" for at least the reasons discussed above in connection with the allowability of Claim 8. Claim 12 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

Allowability of Claim 13

Regarding Claim 13, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 12, "... providing the audible announcement by playing the audio clip associated with the number corresponding to origin of the incoming call" for at

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least the reasons discussed above in connection with the allowability of Claim 8. Claim 13 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

Allowability of Claim 14

Regarding Claim 14, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 8, "... storing an audio recording that uniquely identifies a number corresponding to the origin of the incoming call before receiving the incoming call, providing the unique audible announcement by playing the audio recording identifying the number corresponding to the origin of the incoming call" for at least the reasons discussed above in connection with the allowability of Claim 8. Claim 14 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

Allowability of Claim 15

Regarding Claim 15, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 8, "... indicating that a call is waiting during an on-going call by providing the audible announcement on the audio output during the on-going call, the audible announcement uniquely distinguishing the call waiting from other callers" for at least the reasons discussed above in connection with the allowability of Claim 8. Claim 15 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

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Allowability of Independent Claim 16

Regarding Claim 16, contrary to the Examiner's assertion, Maquaire and Contreas do not disclose or suggest a

... mobile wireless communication device, comprising:
wireless communication receiver;
a memory for storing a communication address and an audio clip associated therewith;
an audio output;
a processor coupled to the memory and to the audio output, the processor for playing the audio clip at the audio output when a wireless communication originated from the communication address associated with the audio clip is received by the wireless communication receiver, and
the processor for indicating that a call is waiting during an on-going call by playing the audio clip during the on-going telephone call.

Contreas discloses a call-waiting scheme wherein a calling party provides a feature code that initiates the sending of a "knock" identifying the calling party to the called party (Contreas, para. 0015). In Contreas, the network passes the "knock" to the called party only if the calling party is entitled to knock Contreas, para. 0015) and only if the called party has caller-waiting enabled or activated. (Contreas, paras. 0016 & 0019).

In Contreas, the knock is a tone, sound or recorded voice originating from the calling party (Contreas, paras. 0015, 0019 & 0020). There is no suggestion in Contreas or Maquaire for a processor for "... playing the audio clip at the audio output when a wireless communication originated from the communication address associated with the audio clip is received by the wireless communication receiver, and ... for indicating that a call is waiting

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during an on-going call by playing the audio clip during the on-going telephone call."

Maquaire merely discloses the generating an audio output in response to an incoming call. Despite the recognition of call-waiting and related features by Maquaire (paras. 0004-0008), Maquaire does not disclose or suggested playing any audio, based on audio information stored on the called device "...during an on-going call" as recited in Claim 16. Claim 16 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

Allowability of Claim 17

Regarding Claim 17, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 16, "... the communication address is a telephone number" for at least the reasons discussed above in connection with the allowability of Claim 16. Claim 17 is thus further patentably distinguished over the art.

Allowability of Claim 19

Regarding Claim 19, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 16, "... the communication address is a telephone number, the audio clip is a name associated with the telephone number, the wireless communication is a telephone call" for at least the reasons discussed above in connection with the allowability of Claim 16. Neither Contreas nor Maquaire disclose audibly

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presenting a telephone number of an incoming caller. Claim 19 is thus further patentably distinguished over the art.

Allowability of Independent Claim 20

Regarding independent Claim 20, contrary to the Examiner's assertion, the prior art does not disclose or suggest a

... method in a mobile wireless communication device,
comprising:

receiving incoming communications at the mobile wireless
communication device during an ongoing communication at the
wireless communication device;

audibly identifying a source of the incoming
communication at an audio output of the mobile wireless
communication device during the ongoing communication based
on audio information previously stored on the mobile wireless
communication device.

In Contreas, the knock is a tone, sound or recorded voice originating from the calling party (Contreas, paras. 0015, 0019 & 0020). Maquaire merely discloses the generating an audio output in response to an incoming call. Despite the recognition of call-waiting and related features by Maquaire (paras. 0004-0008), Maquaire does not disclose or suggested playing any audio, based on audio information stored on the called device "... during the ongoing communication" as recited in Claim 20. Claim 20 and the claims that depend therefrom are thus patenably distinguished over Contreas and Maquaire.

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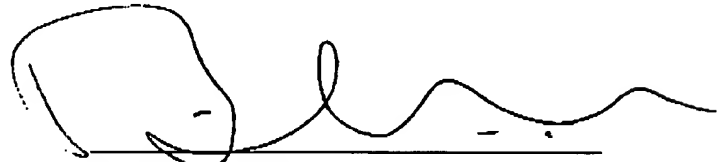
Allowability of Claim 21

Regarding Claim 21, contrary to the Examiner's assertion, the prior art fails to disclose or suggest in combination with the limitations of Claim 20, "... audibly identifying the source of the incoming communication in a background of the ongoing communication." Claim 21 is thus further patentably distinguished over the art.

Prayer for Relief

In view of the amendments and the discussion above, the Claims of the present application are in condition for allowance. Kindly withdraw any rejections and objections and allow this application to issue as a United States Patent without further delay.

Respectfully submitted,



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